

Applicant : Shawn Shui-on LEUNG
U.S. Serial No.: 09/892,613
Filed : June 27, 2001
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REMARKS

Claims 1-24 are pending in this application. Claims 14, 15 and 20-24 were withdrawn from consideration by the Examiner to whom this application has been assigned. By this Proposed Amendment, Applicant has cancelled claims 16-19 without prejudice to Applicant's rights in a future application and amended claims 1 and 4-9. Applicant maintains that the Amended claims 1 and 4-9 are well-supported by the specification filed and in accordance with the suggestion from the Examiner. Accordingly, there is no issue of new matters and Applicant respectfully requests the entry of this Amendment.

112 Second Paragraph rejections

The Examiner rejected Claims 1-13 under 35 USC 112, second paragraph.

In response but without conceding the correctness of the Examiner's position and to expedite the prosecution of this application, Applicant has hereinabove amended the claims according to the Examiner's suggestion. Applicant believes that the amended claims should obviate this ground of rejection. Accordingly, in view of the foregoing, Applicant respectfully requests the reconsideration and withdrawal of this ground of rejection.

112 First Paragraph Rejection

In response but without conceding the correctness of the Examiner's position and to expedite the prosecution of this application, Applicant has hereinabove cancelled Claims 16-19 without prejudice to Applicant's right to pursue the subject matters in a future application, thereby rendering this ground of rejection moot.

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Claims Rejections - 35 U.S.C. §102(b)

The Examiner rejected Claims 1-13 under 35 U.S.C. 102(b) as being anticipated by Queen, et al., U.S. Patent 5,693,762, issued December 1997 (Office Action, page 13).

In response but without conceding the correctness of the Examiner's position and to expedite the prosecution of this application, Applicant has amended the claimed invention to exclude the embodiment of complete replacement of FR1-4. Accordingly, the claimed invention is not anticipated by Queen, et al.

Queen, et al. teach humanization by the method of CDR grafting. The framework Queen, et al. refer to and used as a template is:

1. an integral and inseparable entity containing all FR1, FR2, FR3, and FR4, and
2. selected from ONE particular human immunoglobulin.

Queen, et al. are specific in using the WHOLE SET of framework sequences (for both the heavy and light chain framework sequences) from ONE SINGLE donor antibody for CDR grafting/humanization. The claimed invention does not have the above requirement and therefore is not anticipated by Queen, et al.

Accordingly, in view of the foregoing, applicant respectfully requests the reconsideration and withdrawal of this ground of rejection.

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If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this proposed Amendment. However, if any additional fee is required, authorization is given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

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